

**SUPREME COURT MINUTES
WEDNESDAY, FEBRUARY 21, 2001
SAN FRANCISCO, CALIFORNIA**

S093718 The People, Plaintiff and Respondent,
2nd Dist. v.
B137492 David M. Chavez, Defendant and Appellant.
Div. 2 Petition for review GRANTED.

Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Cleveland*, S078573 (see Cal. Rules of Court, rule 29.2(c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.3, is deferred pending further order of the court.

Appointment of counsel is deferred pending further order of the court.

George, C.J.
Mosk, J.
Kennard, J.
Baxter, J.
Werdegar, J.
Chin, J.
Brown, J.

2nd Dist. The People, Plaintiff and Respondent,
B132842 v.
Div. 1 Juan Martinez Argomaniz, Defendant and Appellant.
S092817 Review having been granted on January 10, 2001, this matter is

transferred to the Court of Appeal, Second Appellate District, Division One, with directions to vacate its judgment and reconsider appellant's contention regarding imposition of sentence on the Health and Safety Code section 11378 conviction in light of Penal Code sections 1170.1, subdivision (a) and 1170.11.

George, C.J.
Mosk, J.
Kennard, J.
Baxter, J.
Werdegar, J.
Chin, J.
Brown, J.

S092308 In re Charles D. Primus
 on
 Habeas Corpus
 Petition for writ of habeas corpus is DENIED.

1st Dist. California State Automobile Association Inter-Insurance Bureau,
A081931 Appellant
Div. 2 v.
S093109 Parichan, Renberg, Crossman & Harvey, Appellant
 Petition for review DENIED.
 The request for an order directing partial publication of the
 opinion is DENIED.
 The requests for an order directing depublication of the opinion
 are denied.
 Baxter, J., did not participate.

1st Dist. People, Respondent
A083341 v.
Div. 1 Russell Bernardini, Appellant
S093988 Petition for review DENIED.

1st Dist. People, Respondent
A085962 v.
Div. 1 Benjamin Gonzales, Appellant
S093880 Petition for review DENIED.

1st Dist. Dorene Musilli, Appellant
A086051 v.
Div. 3 Alioto & Alioto et al., Respondents
S094367 Petition for review DENIED.
 Kennard, J., is of the opinion the petition should be granted.

1st Dist. People, Respondent
A086104 v.
Div. 2 Anthony Tyrone Davis, Appellant
S093869 Petition for review DENIED.

1st Dist. People, Respondent
A086945 v.
Div. 1 Jessie Roy Wells, Appellant
S093571 Petition for review DENIED.

1st Dist. A088632 Div. 1 S093542	People, Respondent v. Barry Whitley, Appellant Petition for review DENIED.
1st Dist. A089356 Div. 5 S093766	People, Respondent v. Rodrick Dewellyn May, Appellant Petition for review DENIED. Kennard, J., is of the opinion the petition should be granted.
1st Dist. A089412 Div. 1 S094466	Stuart A. Safine, Appellant v. Ginger H. Mansel, et al., Respondents Petition for review DENIED.
1st Dist. A089922 Div. 4 S094307	Tom Church, Appellant v. Roxie Cinema et al., Respondents Petition for review DENIED.
1st Dist. A090698 Div. 3 S094567	Joyce Ann Murrell, Appellant v. James Haverkamp, et al., Respondents Petition for review DENIED.
1st Dist. A091024 Div. 1 S094427	Richard E. Thomas, et al., Appellants v. Howard William, Respondent Petition for review DENIED.
1st Dist. A092897 Div. 1 S093289	In re Stephen L. Bogovich on Habeas Corpus Petition for review DENIED.
1st Dist. A092942 Div. 2 S093512	In re Ramon Aquino on Habeas Corpus Petition for review DENIED on the merits.

1st Dist. Michael Clark, Petitioner
A093077 v.
Div. 1 Workers' Compensation Appeals Board;
S094528 Golden Rain Foundation, et al., Respondents
Petition for review DENIED.

2nd Dist. People, Respondent
B105615 v.
Div. 3 Stephen Frances Snow, Appellant
S093687 Petition for review DENIED.

2nd Dist. People, Respondent
B117940 v.
B124716 Randolph J. Ware, Appellant
Div. 3 -----
S093682 In re Randolph J. Ware on Habeas Corpus
Petition for review DENIED.
Mosk, J., and Kennard, J., are of the opinion the petition should
be granted.

2nd Dist. Marianne Saelzler, Appellant
B125896 v.
Div. 7 Advanced Group 400, et al., Respondents
S085736 Respondents' request for judicial notice denied.

2nd Dist. People, Respondent
B128323 v.
Div. 3 Efrain Salinas and Mario Perez, Appellants
S093594 Petitions for review DENIED.

2nd Dist. People, Respondent
B131042 v.
Div. 3 Ramon Hector Garcia, Appellant
S094832 Petition for review DENIED.

2nd Dist. Fernando Albert Zamacona, Respondent
B132022 v.
Div. 4 Costco Companies, Appellant
S093392 Petition for review DENIED.
Chin, J., is of the opinion the petition should be granted.

2nd Dist. Roy Hurley, Respondent
B132257 v.
Div. 7 The Fairchild Corporation, Appellant
S094195 Petition for review DENIED.

2nd Dist. People, Respondent
B132526 v.
Div. 4 Art Perez, Appellant
S094518 Petition for review DENIED.
Mosk, J., is of the opinion the petition should be granted.

2nd Dist. Shari Thomas, Appellant
B133413 v.
Div. 4 Barry Gordon, an individual, et al., Respondents
S094291 Petition for review DENIED.

2nd Dist. Maria D., Appellant
B133742 v.
Div. 5 Westec Residential Security Incorporated, Respondent
S094261 Petition for review DENIED.
Mosk, J., and Werdegarr, J., are of the opinion the petition should be granted.

2nd Dist. Edward Quesada, et al., Respondents
B133829 v.
Div. 6 Paramount Unified School District, Appellant
S094434 Petition for review DENIED.

2nd Dist. People, Respondent
B135044 v.
Div. 5 Wendell Corey Jones, Appellant
S094571 Petition for review DENIED.

2nd Dist. People, Respondent
B135365 v.
Div. 6 Martin Castillo, Appellant
S093866 Petition for review DENIED.

2nd Dist. People, Respondent
B135859 v.
Div. 2 Roger P. Evans, Appellant
S094499 Petition for review DENIED.

2nd Dist. People, Respondent
B136234 v.
Div. 3 Albert Evans, Appellant
S094494 Petition for review DENIED.

2nd Dist. People, Respondent
B136682 v.
Div. 6 Yolanda Nova, Appellant
S094543 Petition for review DENIED.

2nd Dist. People, Respondent
B136737 v.
Div. 3 Carlos Duran, Appellant
S094536 Petition for review DENIED.

2nd Dist. People, Respondent
B136798 v.
Div. 2 Dale Godown, Appellant
S094476 Petition for review DENIED.

2nd Dist. People, Respondent
B137012 v.
Div. 2 Daniel K. Robertson, Appellant
S094575 Petition for review DENIED.

2nd Dist. People, Respondent
B137021 v.
Div. 3 Frederick G. Grayson, Appellant
S094448 Petition for review DENIED.

2nd Dist. People, Respondent
B137098 v.
Div. 6 Billy Lyn Davis, Appellant
S094061 Petition for review DENIED.

2nd Dist. People, Respondent
B137330 v.
Div. 3 Veronica Alvarez, Appellant
S093245 Petition for review DENIED.

2nd Dist. B138045 Div. 6 S094474	Paine Webber Incorporated, Respondent v. Investors Rights Association, Inc., et al., Appellants Petition for review DENIED.
2nd Dist. B138160 B142906 Div. 7 S093906	People, Respondent v. Frankie T. Mendez, Appellant ----- In re Frankie T. Mendez on Habeas Corpus Petition for review DENIED.
2nd Dist. B138210 Div. 5 S093887	People, Respondent v. Christopher Torres, Appellant Petition for review DENIED.
2nd Dist. B138485 Div. 5 S094478	People, Respondent v. Michael William Martinez, Appellant Petition for review DENIED.
2nd Dist. B138852 Div. 2 S093697	People, Respondent v. Luis Alberto Meda, Appellant Petition for review DENIED. Mosk, J., is of the opinion the petition should be granted.
2nd Dist. B142473 Div. 1 S093408	Marina Emergency Medical Group, et al., Petitioners v. Los Angeles County Superior Court, Respondent Stuart Charno, Real Party in Interest Petition for review DENIED. Mosk, J., is of the opinion the petition should be granted.
2nd Dist. B142982 Div. 2 S093722	In re David M. Chavez on Habeas Corpus Petition for review DENIED.

2nd Dist. B143597 Div. 6 S094545	In re Diana Haun on Habeas Corpus Petition for review DENIED on the merits.
2nd Dist. B145313 Div. 7 S094299	City of San Gabriel, Petitioner v. Workers' Compensation Appeals Board et al., Respondents Petition for review DENIED.
2nd Dist. B145568 Div. 7 S093262	In re Henry Lee Cordova on Habeas Corpus Petition for review DENIED.
2nd Dist. B145860 Div. 1 S094590	Beverly Hills Porsche/Audi, Petitioner v. WCAB, Respondent Eric Thiele, Real Party in Interest Petition for review DENIED.
2nd Dist. B145933 Div. 5 S093544	Lawrence B. Dohoghue, Petitioner v. Los Angeles County Superior Court Appellate Division, Respondent People, Real Party in Interest Petition for review DENIED.
2nd Dist. B146648 Div. 2 S094378	Duke Miglin, Petitioner v. Los Angeles County Superior Court, Respondent Petition for review DENIED.
2nd Dist. B147218 Div. 7 S095081	Kennard Davis, Petitioner v. Los Angeles County Superior Court, Respondent People, Real Party in Interest Petition for review DENIED. Application for stay denied.

3rd Dist. Estrella Kincaid, Appellant
C029931 v.
S094165 County of Sacramento, Respondent
Petition for review DENIED.
The request for an order directing publication of the opinion is
DENIED.

3rd Dist. People, Respondent
C031033 v.
S094521 Andrew Xavier Peralta, Appellant
Petition for review DENIED.

3rd Dist. People, Respondent
C031071 v.
S094496 Bobby Edward Thomas, Appellant
Petition for review DENIED.

3rd Dist. People, Respondent
C032119 v.
S093606 Stephen Matthew Schultz, Appellant
Petition for review DENIED.

3rd Dist. People, Respondent
C034074 v.
S094558 James Robert Watts, Appellant
Petition for review DENIED.
Mosk, J., is of the opinion the petition should be granted.

3rd Dist. People, Respondent
C034402 v.
S094629 Gilbert Ray Sanchez, Appellant
Petition for review DENIED.

3rd Dist. People, Respondent
C035209 v.
S094185 Robert Leroy Murphy, Appellant
Petition for review DENIED.

3rd Dist. Edwin G. Gerber et al., Petitioners
C037064 v.
S094114 Sacramento County Superior Court, Respondent
Rosalie Gerber, Real Party in Interest
Petition for review DENIED.

3rd Dist. Cassandra Day, a Minor, etc., et al., Petitioners
C037264 v.
S094519 Siskiyou County Superior Court, Respondent
Stidham Trucking Inc., et al., Real Parties in Interest
Petition for review DENIED.

4th Dist. People, Respondent
D034265 v.
Div. 1 Anthony Wayne Dunn, Appellant
S094488 Petition for review DENIED.

4th Dist. Sierra Club, Appellant
D034281 v.
Div. 1 Imperial County et al., Respondents
S093587 United States Gypsum Co., Real Party in Interest
Petition for review DENIED.

4th Dist. People, Respondent
D034299 v.
Div. 1 James T. Phillips, Appellant
S094638 Petition for review DENIED.

4th Dist. People, Respondent
D034514 v.
Div. 1 Ronald R. Melville, Appellant
S094670 Petition for review DENIED.

4th Dist. People, Respondent
D034591 v.
SO94464 Dwight Edward Kennedy, Appellant
Petition for review DENIED.

4th Dist. Levonne Foxworth, Appellant
D034703 v.
S094280 Kusi-TV, et al., Respondents
 Petition for review DENIED.
 The request for an order directing publication of the opinion is
 DENIED.

4th Dist. Larry Barker, Appellant
D035241 v.
Div. 1 Civil Service Commission of the County of San Diego, et al.,
S094508 Respondents

 Larry Barker, Appellant
 v.
 County of San Diego, Respondent
 Petition for review DENIED.

4th Dist. In re Manuel R., a Person Coming Under the Juvenile Court Law
D035459 -----
Div. 1 San Diego County Health & Human Services Agency, Respondent
S094416 v.
 Rufus J., Appellant
 Petition for review DENIED.

4th Dist. People, Respondent
D036445 v.
Div. 1 Gustavo Javier Acosta, Appellant
S093910 Petition for review DENIED.

4th Dist. Teg Diffey, Appellant
E024523 v.
Div. 2 Riverside County Sheriff's Department, et al., Appellants
S093892 Petition for review DENIED.

4th Dist. People, Respondent
E024901 v.
Div. 2 Victor Martel, Appellant
S094030 Petition for review DENIED.

4th Dist. E025618 Div. 2 S093634	People, Respondent v. Thomas Gallo, Appellant Petition for review DENIED.
4th Dist. E025749 Div. 2 S093715	People, Respondent v. Antonio Lovell Roberson, Appellant Petition for review DENIED.
4th Dist. E025767 Div. 2 S094568	People, Appellant v. Henry Charles Jordan, Appellant Petition for review DENIED.
4th Dist. E026044 Div. 2 S093652	People, Respondent v. Andrew Martinez Rey, Appellant Petition for review DENIED.
4th Dist. E026063 Div. 2 S093854	People, Respondent v. Morris William Cox, Appellant Petition for review DENIED. Mosk, J., is of the opinion the petition should be granted.
4th Dist. E027033 Div. 2 S094361	People, Respondent v. Dominic Scillopote, Petitioner Petition for review DENIED.
4th Dist. E028058 Div. 2 S094031	In re Victor Martel on Habeas Corpus Petition for review DENIED.
4th Dist. E028440 Div. 2 S093984	Jeffrey Raymond Coyle, Petitioner v. Riverside County Superior Court, Respondent People, Real Party in Interest Petition for review DENIED.

- 4th Dist. Beth Roberts, et al., Petitioners
E028502 v.
Div. 2 Workers' Compensation Appeals Board et al., Respondents
S094178 Petition for review DENIED.
- 4th Dist. Menifee Union School District, Petitioner
E028750 v.
Div. 2 Riverside County Superior Court, Respondent
S094921 Eric S., Real Party in Interest
Application for stay and petition for review DENIED.
- 4th Dist. Ana Maria Thompson, Respondent
G020184 v.
Div. 3 Steven Sarvak, et al., Appellants
S094275 Petition for review DENIED.
- 4th Dist. Villa Milano Homeowners Association, Respondent
G023526 v.
Div. 3 Il Davorge, Appellant
S093792 Petition for review DENIED.
The request for an order directing depublication of the opinion is DENIED.
- 4th Dist. Andy L. Hestand, et al., Appellants
G024918 v.
Div. 3 Marcy Saunders, as Labor Commissioner, etc., Respondent
S094481 Odebrecht Contractors of California, Respondent
Petition for review DENIED.
The Reporter of Decisions is directed not to publish in the Official Appellate Reports the opinion in the above-entitled appeal, filed December 8, 2000, which appears as modified at 85 Cal.App. 4th 334. (Cal. Const., art. VI, section 14; rule 976, Cal. Rules of Court.)
- 4th Dist. Melinda S. Womack, Appellant
G025268 v.
Div. 3 Virginia Lee et al., Respondents
S094456 Petition for review DENIED.

4th Dist. People, Respondent
G025271 v.
Div. 3 Noel N. Natividad, Appellant
S094534 Petition for review DENIED.

4th Dist. People, Respondent
G025844 v.
Div. 3 Douglas Wesley Lanphere, Appellant
S093616 Petition for review DENIED.

4th Dist. William Snow Hume, Appellant
G028187 v.
Div. 3 Audrey Culver, et al., Respondents
S094341 Petition for review DENIED.
Kennard, J., is of the opinion the petition should be granted.

4th Dist. In re Stephen Cuccia
G028389 on
Div. 3 Habeas Corpus
S095114 Petition for review DENIED.

5th Dist. Mitsue Takahashi, Appellant
F029860 v.
S094182 Estate of Douglas B. Cone, Respondent
Petition for review DENIED.

5th Dist. People, Respondent
F031209 v.
S093618 Manuel Antonio Vicente et al., Appellants
Petition for review DENIED.

5th Dist. Grubb & Ellis Company, Respondent
F031393 v.
S093455 Alan D. Pirie et al., Appellants
Petition for review DENIED.
The request for an order directing publication of the opinion is DENIED.

5th Dist. People, Respondent
F031519 v.
S094621 Michael Raymond Molina, Appellant
Petition for review DENIED.

5th Dist. F031801 S094535	People, Respondent v. Adam Gregory Tapia, Appellant Petition for review DENIED.
5th Dist. F032030 S094516	People, Respondent v. Esteban Fierros Cruz, Appellant Petition for review DENIED.
5th Dist. F032567 S094514	People, Respondent v. Arturo Armendariz Carmona, Appellant Petition for review DENIED.
5th Dist. F033041 S094497	People, Respondent v. Joshua Jonathan Marquez et al., Appellants Petition for review DENIED.
5th Dist. F033874 S094546	People, Respondent v. Willie Thomas Mixon, Appellant Petition for review DENIED. Mosk, J., is of the opinion the petition should be granted.
5th Dist. F034044 S094386	People, Respondent v. Chris Alan Plotner, Appellant Petition for review DENIED.
5th Dist. F034247 S094517	People, Respondent v. Frank Nefo Laughton, Appellant Petition for review DENIED. Mosk, J., is of the opinion the petition should be granted.
5th Dist. F034320 S094542	People, Respondent v. Allen Clarence Smallwood, Appellant Petition for review DENIED.

6th Dist. H019830 S094338	Guetatchew Fikrou, Appellant v. County of Santa Clara, et al., Respondents Petition for review DENIED.
6th Dist. H020030 S094513	People, Respondent v. Eris Lendell Williams et al., Appellants Petitions for review DENIED.
6th Dist. H020041 S094544	People, Respondent v. Jose Rodriguez Garcia, Appellant Petition for review DENIED.
6th Dist. H020160 S094418	People, Respondent v. Mark Jeffrey Crawford, Appellant Petition for review DENIED.
6th Dist. H020349 S094574	In re Juan H., a Person Coming Under the Juvenile Court Law ----- People, Respondent v. Juan H., Appellant Petition for review DENIED.
6th Dist. H020362 S093764	People, Respondent v. Arprubertito Botilao, Appellant Petition for review DENIED.
6th Dist. H020373 S092883	In re Elizabeth Ann Lusk on Habeas Corpus Petition for review DENIED.
6th Dist. H020751 S094438	People, Respondent v. Douglas Eugene Fishel, Appellant Petition for review DENIED.

6th Dist. H020807 S094526	People, Respondent v. Eliazar Sanchez, Appellant Petition for review DENIED.
6th Dist. H021938 S094583	In re Eliazar Sanchez on Habeas Corpus Petition for review DENIED.
6th Dist. H021940 S093556	In re Johnny Cordova on Habeas Corpus Petition for review DENIED.
6th Dist. H022210 S094899	People, Respondent v. Charles Fordjour, Appellant Petition for review DENIED.
1st Dist. A080131 Div. 3 S093668	Franklin Jerome Day, M.D., Petitioner v. Superior Court of the City and County of San Francisco, Respondent Division of Medical Quality of the Medical Board of California, Real Party in Interest The request for an order directing publication of the opinion in the above-entitled case is DENIED.
1st Dist. A088007 Div. 2 S094570	Chong Hing, Inc., Appellant v. City and County of San Francisco, Respondent The request for an order directing publication of the opinion in the above-entitled case is DENIED.
2nd Dist. B132336 Div. 2 S094255	Charles Aaron Holder, Appellant v. City of Pasadena et al., Respondents The request for an order directing publication of the opinion in the above-entitled case is DENIED.

4th Dist. Edna V. Chavez, Appellant
D033353 v.
Div. 1 Becton Dickinson & Company, Respondent
S094483 The request for an order directing publication of the opinion in
the above-entitled case is DENIED.

4th Dist. Hugo Dell'Acqua, Respondent
E024099 v.
E024453 Michael G. Hollingsworth et al., Appellants
Div. 2 Mario Quesada, Respondent
S092041 The request for an order directing publication of the opinion in
the above-entitled case is DENIED.

4th Dist. Friends of Lake Skinner Wildlife, Appellant
E026200 v.
Div. 2 California Department of Fish and Game et al., Respondents
S092815 The request for an order directing publication of the opinion in
the above-entitled case is DENIED.

4th Dist. Freddie L. Daughtery, Appellant
E027253 v.
Div. 2 Ontario Metal Recycling Inc., Respondent
S094001 The request for an order directing publication of the opinion in
the above-entitled case is DENIED.

S089828 In re the Accusation of Raymond Safdie
Against an Attorney
Petition DENIED.

S089845 In re the Accusation of Alexander Mezhbein
Against an Attorney
Petition DENIED.

S089980 In re the Accusation of Ronald E. Lais
Against an Attorney
Petition DENIED.

S091853 In re the Accusation of Janice Isaacs
Against an Attorney
Petition DENIED.

- S092364 In re the Accusation of Faisal S. Salbi
 Against an Attorney
 Petition DENIED.
- S092458 In re the Accusation of George Walker
 Against an Attorney
 Petition DENIED.
- S092468 In re the Accusation of Nick Nicholas
 Against an Attorney
 Petition DENIED.
- S092750 In re the Accusation of Mingo Woods
 Against an Attorney
 Petition DENIED.
- S092941 In re the Accusation of John Nazaroff
 Against an Attorney
 Petition DENIED.
- S092957 In re the Accusation of Olyric Robinson
 Against an Attorney
 Petition DENIED.
- S092959 In re the Accusation of Michael Ioane
 Against an Attorney
 Petition DENIED.
- S093032 In re the Accusation of Robert Gaebler
 Against an Attorney
 Petition DENIED.
- S093070 In re the Accusation of Albert Mojica, Jr.
 Against an Attorney
 Petition DENIED.
- S093071 In re the Accusation of David McRae Nyborg
 Against an Attorney
 Petition DENIED.

- S093072 In re the Accusation of Frank Jenoure
 Against an Attorney
 Petition DENIED.
- S093098 In re the Accusation of Adrian E. Moore
 Against an Attorney
 Petition DENIED.
- S093226 In re the Accusation of Jacqueline K. Standard
 Against an Attorney
 Petition DENIED.
- S093240 In re the Accusation of Chikako Inagaki
 Against an Attorney
 Petition DENIED.
- S093252 In re the Accusation of Darryl W. Buckhana
 Against an Attorney
 Petition DENIED.
- S093371 In re the Accusation of Alexander Soroka
 Against an Attorney
 Petition DENIED.
- 2nd Dist. In re David Orozco
B142054 on
Div. 6 Habeas Corpus
S094166 The time for granting or denying review in the above-entitled
 matter is hereby extended to and including April 5, 2001, or the date
 upon which review is either granted or denied.
- 2nd Dist. People, Respondent
D033897 v.
Div. 1 Robert Allan Burgess, Appellant
S094245 -----
 In re Robert Allan Burgess Habeas Corpus
 The time for granting or denying review in the above-entitled
 matter is hereby extended to and including April 2, 2001, or the date
 upon which review is either granted or denied.

S016730 People, Respondent

v.

Raymond Edward Steele, Appellant

On application of respondent and good cause appearing, it is ordered that the time to serve and file respondent's brief is extended to and including April 18, 2001.

No further extensions of time are contemplated.

S018292 People, Respondent

v.

Even Teek Nakahara, Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to and including April 16, 2001.

No further extensions of time are contemplated.

S018637 People, Respondent

v.

Jackie Ray Hovarter, Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to and including February 26, 2001.

S022224 People, Respondent

v.

Darren Cornelius Stanley, Appellant

The application of appellant for an extension of time to serve and file appellant's reply brief is denied.

S025519 People, Respondent

v.

Colin Raker Dickey, Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to and including March 15, 2001.

S027766 People, Respondent

v.

Stephen Cole, Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to and including March 15, 2001.

S029384 People, Respondent

v.

Dannie Ray Hillhouse, Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's reply brief is extended to and including May 1, 2001.

S029476 People, Respondent

v.

Richard Delmer Boyer, Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's reply brief is extended to and including April 11, 2001.

S029550 People, Respondent

v.

Duane Holloway, Appellant

On application of respondent and good cause appearing, it is ordered that the time to serve and file respondent's brief is extended to and including April 23, 2001.

S037195 People, Respondent

v.

Jerry Noble Kennedy, Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to and including April 17, 2001.

S056364 People, Respondent

v.

Albert Jones, Appellant

On application of appellant and good cause appearing, it is ordered that the appellant is granted to and including April 20, 2001, to request correction of the record on appeal. Counsel for appellant is ordered to notify the Clerk of the Supreme Court in writing as soon as the act as to which the Court has granted an extension of time has been completed.

S081791 Dana Elizabeth Zelig, etc. et al., Appellants

v.

County of Los Angeles et al., Respondents

On application of respondent and good cause appearing, it is ordered that the time to serve and file respondent's answers to two amicus curiae briefs is extended to and including February 20, 2001.

S086474 In re Ralph Michael Yeoman

on

Habeas Corpus

On application of respondent and good cause appearing, it is ordered that the time to serve and file respondent's informal response to the petition for writ of habeas corpus is extended to and including March 12, 2001.

S087643 In re Christopher Clark Box

on

Habeas Corpus

On application of petitioner and good cause appearing, it is ordered that the time to serve and file petitioner's reply to informal response to the petition for writ of habeas corpus is extended to and including April 23, 2001.

S012943 People, Respondent

v.

David Allen Rundle, Appellant

Appellant's "Second Supplemental Motion to Correct, Clarify, Augment and Settle the Record on Appeal," filed on May 4, 2000, and amended on December 20, 2000 (hereafter collectively referred to as "appellant's motion"), is GRANTED IN PART AND DENIED IN PART.

In the following respects, appellant's motion is GRANTED:

A. The Placer County Superior Court is directed to conduct a hearing to address the completeness and accuracy of the certified record in this case, consistently with section 190.8, subdivision (c), of the Penal Code, and, to the extent possible, consistently with Rules 39.54 and 39.55 of the California Rules of Court. The hearing shall focus upon the proposed corrections to the Reporter's Transcript, listed in sections IIIA3 and IIIB2 of appellant's motion

(pages 7-11, 13-17). If, after hearing the matter, the Placer County Superior Court determines that any ambiguity not falling within the purview of section 190.8, subdivision (c), cannot be resolved, that court is directed to issue an order directing the parties, within 60 days of the date of that court's order, to settle the record with regard to any such remaining ambiguity.

B. The Placer County Superior Court is directed to conduct a hearing to address the completeness and accuracy of the record as to the proposed corrections listed in section IV of appellant's motion (pages 17-19), and, to the extent possible, consistently with those procedures set forth in Rules 39.54 and 39.55 of the California Rules of Court, to ascertain which of the trial court's orders — the order of March 26, 1990, or the order of September 29, 1993 — should control as to those requested corrections.

C. The Placer County Superior Court is directed to order the clerk to compile, and to provide to counsel for all parties, a supplemental Clerk's Transcript on appeal, comprising any or all of those documents listed below, to the extent such documents are or have been located within the court's file in this matter. (Any document that is sealed and that properly should remain sealed (see rule 39.51(b) of the California Rules of Court), shall be included in a separate sealed supplemental Clerk's Transcript.)

1. A copy of the contents of the sealed envelope labeled "Juror Excuses," located in the Superior Court file.

2. A copy of the contents of the sealed envelope labeled "Ex Parte Order," located in the Superior Court file.

3. Copies of all pleadings filed in connection with appellant's petition for writ of prohibition and mandate, *David Allen Rundle v. Superior Court, Placer County (People)*, Third District Court of Appeal, 3 Crim. C004582.

4. A copy of the petition for review filed in this Court, No. S006209, following the denial of the above-referenced petition for writ of prohibition and mandate by the Court of Appeal.

5. A copy of the notice of motion for order compelling appellant to submit blood and saliva samples, filed on or about February 8, 1987. (Placer County Municipal Court, case No. 3678-86.)

6. The Reporter's Transcript for proceedings conducted on November 16, 1987, in Department 1, before the Honorable James D. Garbolino, and in Department 4, before the Hon. Richard Gilbert, relating, at least in part, to the appointment of Laurance Smith as

Keenan counsel for appellant. (See *Keenan v. Superior Court* (1982) 31 Cal.3d 424.)

7. Copies of the orders entitled “Order for Remand, Release from Custody, or Bail,” dated as follows: March 31, 1987; April 27, 1987; August 10, 1987; October 13, 1987; January 11, 1988; March 7, 1988; April 12, 14, and 29, 1988; May 5 and 12, 1988; September 13, 1988; October 3, 6, 12, 1988; November 21, 1988; November 21, 1988; December 6, 13, 14, and 15, 1988; January 3, 4, 5, 6, 10, 11, 12, 18, 19, 20, 24, 25, 27, and 31, 1989; February 1, 2, 3, 7, 8, 24, 25, and 28, 1989; March 1, 2, 3, 6, 7, 8, 9, 14, 15, 16, 17, 22, 23, 24, 28, 29, and 31, 1989; April 3, 4, 5, 6, 11, 12, 13, 25, 26, and 27, 1989; May 3, 4, 9, 10, 15, 16, 17, 18, 19, 23, 24, 25, 30, and 31, 1989; June 1, 6, 7, 13, 14, 15, and 21, 1989; July 5, 1989; and September 19 and 21, 1989.

8. A copy of the letter from David W. Humphreys to James F. Johnson, dated May 26, 1995, on the letterhead of the Nevada County Public Defender.

D. The Placer County Superior Court is directed to locate the sealed copies of documents filed confidentially under Penal Code sections 987.2 and 987.9, include them in a supplemental Clerk’s Transcript, and transmit them under seal to appellant and this court only.

E. The Placer County Superior Court is directed to conduct a hearing to address appellant’s request for copies of People’s Pretrial Motion Exhibits 1, 2, 19, 21, and 22, and People’s Trial Exhibits 48 and 49, Defendant’s Pretrial Motion Exhibits A and B, and Court’s Exhibits 30 and 31.

F. The Placer County Superior Court is ordered to direct the parties and the court reporters to convene in an effort to settle the record with regard to the 31 unreported matters cited at pages 24-26 of appellant’s motion.

G. The Placer County Superior Court is directed to determine whether the transcripts described in and appended to defendant’s “Addendum to Second Supplemental Motion to Correct, Clarify, Augment and Settle the Record on Appeal,” filed in this court on December 20, 2000, were “filed or lodged in the . . . superior court files in the case.” (Cal. Rules of Court, rule 39.51(a)(1).) If that court determines that these transcripts were so filed or lodged, that court is directed then to cause them to become part of the Clerk’s Transcript in a supplemental volume. If that court determines that the transcripts were not so filed or lodged, that court is directed to determine whether they were “exhibit[s] admitted in evidence or

rejected” in the case. (*Id.*, rule 33(a)(3).) If that court determines that the transcripts were not such exhibits, it is directed to determine whether they are identical to the transcripts found at Supp. CT 4697-4713, 4747-4754. If that court finds that the transcripts are not identical to those already contained in that supplemental Clerk’s Transcript on appeal, that court is directed to determine whether the transcripts were presented to the court and/or the jury in the case, and, if so, that court is directed to cause the record on appeal to be augmented to include them in a supplemental volume as part of the Clerk’s Transcript.

H. Except as specifically noted above, appellant's motion is DENIED.

S049596 People, Respondent
v.

Stanley Bryant, Leroy Wheeler, and Donald Franklin Smith,
Appellants

The application of appellant Stanley Bryant to request correction of the record on appeal is denied.

S004727 People, Respondent
v.

Mauricio Rodriguez Silva, Appellant

The request of respondent for 45 minutes for oral argument is granted.

S004691 People, Respondent
Crim. v.

Andre Burton, Appellant

Good cause appearing, the application of appointed counsel for permission to withdraw as attorney of record for condemned prisoner Andre Burton, filed January 18, 2001, is granted.

The order appointing Joel W. Baruch as counsel of record for condemned prisoner Andre Burton, filed September 2, 1993, is hereby vacated.

Marcia A. Morrissey and Lisa M. Romo are hereby appointed attorneys of record for condemned prisoner Andre Burton, the former as lead counsel and the latter as associate counsel. Counsel are appointed for purposes of all postconviction proceedings in this court, and for subsequent proceedings, including the preparation and

filing of a petition for clemency with the Governor of California, as appropriate.

2nd Dist.
B133517 Debbie Palmer
 v.

GTE California, Inc.

The above-entitled matter, now pending in the Court of Appeal, Second Appellate District, is transferred from Division Five to Division Three.

2nd Dist.
B140227 Angela Hughes
 v.

Homes Savings of America

The above-entitled matter, now pending in the Court of Appeal, Second Appellate District, is transferred from Division Three to Division Five.

2nd Dist.
B141793 Paul Bressman
 v.

Pomona Valley Hospital Medical Center

The above-entitled matter, now pending in the Court of Appeal, Second Appellate District, is transferred from Division One to Division Two.

2nd Dist.
B142164 Leonard Lawson
 v.

Skyline Healthcare Center

The above-entitled matter, now pending in the Court of Appeal, Second Appellate District, is transferred from Division Two to Division One.

Bar
Misc.
4186

In the Matter of the Application of the Committee of Bar Examiners of the State of California for Admission of Attorneys

The written motion of the Committee of Bar Examiners that the following named applicants, who have fulfilled the requirements for admission to practice law in the State of California, be admitted to the practice of law in this state is hereby granted, with permission to the applicants to take the oath before a competent officer at another time and place:

(LIST OF NAMES ATTACHED TO ORIGINAL ORDER)

S090330 In re George Campos Martinez on Discipline

Because it was not properly served, the order filed October 3, 2000, is vacated nunc pro tunc as of the date it was filed.

S090330 In re George Campos Martinez on Discipline

It is ordered that **George Campos Martinez, State Bar No. 86978**, be suspended from the practice of law for one year, that execution of the suspension be stayed, and that he be placed on probation for three years on condition that he be actually suspended for 60 days and until he makes restitution to Yifat Oren and Brenda Allen (or the Client Security Fund, if appropriate) in the amount of \$1,700.00 plus 10% interest per annum from June 26, 1996, and furnishes satisfactory proof thereof to the Probation Unit, State Bar Office of the Chief Trial Counsel. If he is actually suspended for two years or more, he shall remain actually suspended until he provides proof to the satisfaction of the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct. He is further ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation executed on June 7, 2000, modified by its order filed June 26, 2000. It is also ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order or during the period of his actual suspension, whichever is longer. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) If **George Campos Martinez** is actually suspended for 90 days or more, he is further ordered to comply with rule 955 of the California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 120 and 130 calendar days, respectively, after the effective date of this order.* Costs are awarded to the State Bar and one-half of said costs shall be added to and become part of the membership fees for the years 2001 and 2002. (Bus. & Prof. Code section 6140.7.)

*(See Bus. & Prof. Code, § 6126, subd. (c).)

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THE HONORABLE JOAN DEMPSEY KLEIN, Presiding Justice of the Court of Appeal, Second Appellate District, Division Three, is hereby assigned to assist the Supreme Court of California as a justice thereof, on February 21, 2001, and until completion and disposition of all causes and matters submitted pursuant to this assignment including, if necessary by reason of a vacancy or disqualification of a Supreme Court justice, petitions for rehearing arising out of such causes and matters.

Dated: February 21, 2001

Ronald M. George
Chief Justice of California and
Chairperson of the Judicial Council

